

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROBERT PETTY,

Plaintiff,

V.

NANCY A BERRYHILL, Acting  
Commissioner of Social Security,

Defendant.

CASE NO. 3:17-CV-05129-JLR-DWC

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Judge David W.

Christel, United States Magistrate Judge, and the relevant record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
  - (2) The matter is **VACATED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for further consideration.
  - (3) **JUDGMENT** is for Plaintiff and the case should be closed.
  - (4) The Clerk is directed to send copies of this Order to counsel of record.

Dated this 28 day of August, 2017.

James L. Robart  
United States District Judge